

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 17, 2010

- D055426 In re Bernard P., a Juvenile**
The judgment is affirmed. Irion, J.; We Concur: McConnell, P.J., McDonald, J.
- D057110 People v. Kramer**
Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)
- D055085 People v. Roberts**
The judgment is affirmed. McDonald, J.; We Concur: Nares, Acting P.J., Aaron, J.
- D057159 Lees S. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner Lee S. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D056815 In re J.J., a Juvenile**
Appellant S.J., has failed to file a brief after notice given pursuant to California Rules of Court, rules 8.412(d)(1)(A), and 8.416(g). The appeal is dismissed.
- D056531 Osman v. Taylor**
Appellant has failed to file a brief after notice given. The appeal is dismissed.
- D057188 Tallarida v. Ravet**
This appeal is from a civil case of limited jurisdiction. Appellate jurisdiction over civil cases of limited jurisdiction rests with the appellate division of the superior court. (Code Civ. Proc., 904.2.) The case remains of limited jurisdiction notwithstanding an award of attorney fees that exceeds the \$25,000 jurisdictional limit. (Stokus v. Marsh (1990) 217 Cal.App.3d 647, 651-654.) The appeal is dismissed as to this court and transferred to the Appellate Division of the Superior Court of San Diego County.

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- D054772 People v. Keller**
The petition for rehearing is denied.
- D055213 Colony Insurance Company v. First Specialty Insurance Corporation et al.**
The judgment is affirmed. First Specialty and StarNet are to recover costs on appeal. Irion, J.; We Concur: McDonald, Acting P.J., Aaron, J.
- D057254 K.M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner K.M. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D056864 San Diego Wholesale Credit Association v. European Natural Stone Company, Inc.**
Pursuant to California Rules of Court, rule 8.140, the appeal filed December 21, 2009, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rule 8.121(a)) and because appellant did not timely deposit costs for preparing the record on appeal (Cal. Rules of Court, rules 8.122(c), 8.130(b), 8.140).
- D057084 Community Youth Athletic Center v. Superior Court of San Diego County/City of National City et al.**
The petition for writ of mandate, response and applications to appear *pro hac vice* have been read and considered by Justices Nares, McDonald and McIntyre. The applications to appear *pro hac vice* are granted. The petition is denied.
- D057281 In re Garcia on Habeas Corpus**
The petition is denied.
- D057285 Chao et al. v. Superior Court of San Diego County/Engler**
The petition for writ of mandate and request for stay have been read and considered by Justices Benke, Huffman and Haller. The petition is denied.
- D057274 In re Shaw on Habeas Corpus**
The petition is denied.
- D054770 People v. Dudley**
The petition for rehearing is denied.

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- D057279 In re Finley on Habeas Corpus**
The petition is denied.
- D057090 In re Alvarez on Habeas Corpus**
The petition is denied.
- D057163 In re Preza on Habeas Corpus**
The petition is denied.

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May 19, 2010

Court Furlough Day

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 20, 2010

- D056956 In re J.C., a Juvenile**
Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2))
- D057085 In re Farmers Insurance Exchange Cases**
The court has received and considered the parties' letter briefs regarding the appealability of the minute orders granting class certification of a narrowed class. The matter having been considered by Presiding Justice McConnell and Associate Justices McDonald and Huffman, the appeal is dismissed on the ground that orders are not appealable. (Shelley v. City of Los Angeles (1995) 36 Cal. App. 4th 692, 695-697.) This dismissal is without prejudice to this court's consideration of the matter by way of writ petition No. D057215.
- D054667 People v. Valadez**
The judgment is affirmed. Haller, J.; We Concur: Benke, Acting P.J., Aaron, J.
- D053847 Yoon v. Bush**
Orders affirmed. Yoon to recover her costs of appeal.
Benke, Acting P.J.; We Concur: McDonald, J., Irion, J.
- D055929 Citizens for Responsible Equitable Environmental Development v. City of San Diego/Westfield, LLC et al.**
The judgment is affirmed. CREED is to bear costs on appeal. Certified for Publication. Aaron, J.; We Concur: McConnell, P.J., Benke, J.
- D056308 In re Jordan B., a Juvenile**
The judgment is affirmed. Aaron, J.; We Concur: McConnell, P.J., Benke, J.
- D057202 In re Wilkinson on Habeas Corpus**
The petition is denied.
- D057282 In re Sua on Habeas Corpus**
The petition is denied.
- D055688 People v. Taylor**
The judgment of the trial court is affirmed.
Aaron, J.; We Concur: Benke, Acting P.J., McDonald, J.
- D055722 In re Conservatorship of Juan P.**
The judgment is affirmed. McIntyre, J.; We Concur: McConnell, P.J., Nares, J.

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May 20, 2010 (Continued)

D057253 In re Hood on Habeas Corpus

The petition is denied.

D055988 In re Serena F. et al., Juveniles

The judgment is affirmed.

McDonald, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D057300 In re Whitten on Habeas Corpus

The petition is denied.

D057200 In re Deere on Habeas Corpus

The petition is denied.

D057344 In re Deere on Habeas Corpus

The petition is denied.

D057346 In re Heard on Habeas Corpus

The petition is denied without prejudice to refile in San Diego County Superior Court, 220 West Broadway, San Diego, California 92101.

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- D055501 People v. Kelly**
The judgment is affirmed. McConnell, P.J.; We Concur: Huffman, J., Nares, J.
- D054981 In re Rudy N., a Juvenile**
The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., Irion, J.
- D055494 Arthur v. Department of Motor Vehicles**
The opinion filed April 22, 2010 is ordered certified for publication.
- D055957 In re Lesley V. et al., Juveniles**
The orders are affirmed. Aaron, J.; We Concur: McConnell, P.J., Nares, J.
- D053377 People v. Roberts et al.**
The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., Irion, J.
- D057217 In re Deere on Habeas Corpus**
The petition is denied.
- D057298 In re Rosales on Habeas Corpus**
The petition is denied.
- D057086 Mark M. v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**
The attorney for petitioner Mark M. has notified the court that a petition for writ of mandate under California Rules of Court, Rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D056213 In re Marriage of Sanchez**
The petition for rehearing is denied.
- D057244 Sunbeam Lake, LLC v. Superior Court of Imperial County/County of
Imperial**
The petition for writ of mandate and request for stay have been read and considered by Justices Huffman, McDonald and O'Rourke. The petition is denied.
- D057283 Laporte v. Superior Court of San Diego County/Pacific Shores Development,
Inc., et al.**
The petition for writ of mandate, response, reply and request for stay have been read and considered by Justices Huffman, McDonald and O'Rourke. The petition is denied.

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D057280 In re Moore on Habeas Corpus
The petition is denied.